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thickness disks and said available wear portion of each disk of said third thickness disks is substantially fully worn, and said third thickness disks are removed and replaced with disks of a first, second or third thickness.

REMARKS

Claims 6-10 have been cancelled. Consequently, the rejection of Claims 6, 8-10 under 35 USC § 112 is moot. Claims 1-6 and 8-16 have been rejected under 35 USC §103(a) as being unpatentable over Canadian Patent CA-2004091 in view of Bok '895 et al. Applicants respectfully disagree. First, it is not evident that CA-2004091 actually shows disks (including the end plate and pressure plate) of three thicknesses, where the second thickness disks are two thirds of the thickness of the first disks and the third thickness disks are one third of the thickness of the first disks. Furthermore, CA-2004091 does not provide replacing the fully worn disks with a disk of a first, second or third thickness as claimed by Applicants. Rather, CA-2004091 requires that the worn disk is replaced by new disks having an initial thickness identical to that of the initial disks in the corresponding positions so that the initial arrangement is reproduced. In addition, there is no description of having a brake assembly where there are three thicknesses of rotors in the assembly itself. Consequently, CA-2004091 fails to disclose Applicants' invention.

The addition of Bok does not remedy the deficiencies of CA-2004091. Bok does not teach the use of an end plate and pressure plate having three different thicknesses. Consequently, the combination of CA-2004091 with Bok would not render obvious applicants claimed invention where the pressure plate, end plate, stators and rotors are of three thicknesses.

Therefore, Applicants submit that all pending claims are allowable in their present form, and hereby request allowance in a timely manner. If the Examiner has any questions or suggestions that would facilitate the disposition of this matter, she is respectfully requested to contact the Helen Odar at 312-321-4785.

Respectfully submitted,

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APPENDIX

1. (Twice Amended) A brake disk assembly comprising an end plate, a pressure plate and initially brake disks axially aligned and disposed therebetween, wherein said brake disks, end plate and pressure plate comprise disks of three different wear portions, whereby disks of a first thickness have an initial wear portion, disks of a second thickness have two thirds of said initial wear portion of said first thickness disks, and disks of a third thickness have one third of the initial wear portion of said first thickness disks, said brake disk assembly including disks of a first, second and third thickness, whereby at an overhaul the available wear portion of each of said first thickness disks is approximately equal to the initial available wear portion of each of said second thickness disks, and the available wear portion of said second thickness disks is about equal to the initial available wear portion of each of said third thickness disks and said available wear portion of said third thickness disks is substantially fully worn, whereby said third thickness disks are removed and replaced with disks of a first, second or third thickness.

Please cancel Claims 6, 8 - 10

11. (Twice Amended) A brake disk assembly comprising an end plate, a pressure plate and three rotors and two stators interleaved between said rotors and disposed between said end plate and pressure plate, wherein said pressure plate, end plate, rotors and stators comprises brake disks, said brake disks comprising first thickness brake disks each having an initial first available wear portion, second thickness brake disks each having an initial available wear portion which is two thirds of the available wear portion of each of the first thickness disks, and third thickness brake disks each having an initial available wear portion which is one third of the available wear portion of each of said first thickness disks, said brake disk assembly initially including disks of a first, second and third thickness, whereby at an overhaul the available wear portion of each first thickness disk is about equal to the initial available wear portion of second thickness disks, and the available wear portion of each disk

of said second thickness brake disks is about equal to the initial available wear portion of each of said third thickness disks and said available wear portion of each third thickness disk is substantially fully worn and said third thickness disks are replaced by disks of a first, second or third thickness.

Cancel Claim 12.

13. (Twice Amended) A brake disk assembly comprising an end plate, a pressure plate and four rotors and three stators interleaved between said rotors and disposed between said end plate and pressure plate, wherein said pressure plate, end plate, rotors and stators comprises brake disks, said brake disks comprising first thickness brake disks each having an initial first available wear portion, second thickness brake disks each having an initial available wear portion which is two thirds of the available wear portion of the first thickness brake disks, and third thickness brake disks each having an initial available wear portion which is one third of the available wear portion of each disk of said first thickness brake disks, said brake disk assembly initially including disks of a first, second and third thickness, whereby at an overhaul the available wear portion of each disk of said first thickness brake disks is about equal to the initial available wear portion of each disk of said second thickness brake disks, and the available wear portion of each second thickness brake disk is about equal to the initial available wear portion of each disk of said third thickness brake disks and said available wear portion of each disk of said third thickness disks is substantially fully worn, whereby said third thickness disks are removed and replaced with disks of a first, second or third thickness.

16. (Twice Amended) A brake disk assembly comprising an end plate, a pressure plate and five rotors and four stators interleaved between said rotors and disposed between said end plate and pressure plate, wherein said pressure plate, end plate, rotors and stators comprise brake disks, said brake disks comprising first thickness brake disks each having an initial first available wear portion, second thickness brake disks each having an initial available wear portion which is two thirds of the available wear portion of the first thickness brake disks, and third thickness brake disks each having an initial available wear portion

which is one third of the available wear portion of each disk of said first thickness brake disks, said brake disk assembly initially including disks of a first, second and third thickness whereby after an overhaul the available wear portion of each disk of said first thickness brake disks is about equal to the initial available wear portion of each disk of said second thickness brake disks, and the available wear portion of each disk of said second thickness brake disks is about equal to the initial available wear portion of each disk of said third thickness disks and said available wear portion of each disk of said third thickness disks is substantially fully worn, and said third thickness disks are removed and replaced with disks of a first, second or third thickness.